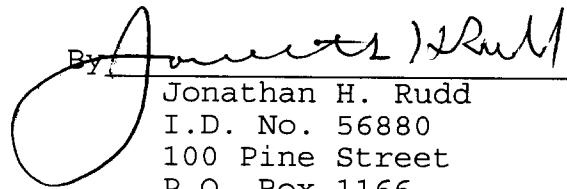


Notice is hereby given that Lincoln General Insurance Company, Defendant in above captioned case, appeals to the United States Court of Appeals for the Third Circuit from the Memorandum and Decision, and Judgment in favor of Plaintiff and against Defendant, entered on the docket in this action on August 26, 2003, the Memorandum and Order entered on July 30, 2004 ordering

the Clerk to amend the Judgment, Amended Judgment in favor of Plaintiff and against Defendant entered on August 3, 2004, and the Order and Judgment entered on August 6, 2004.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By: 
Jonathan H. Rudd
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Date: August 25, 2004

CERTIFICATE OF SERVICE

I, Jonathan H. Rudd, Esquire, hereby certify that on this 25th day of September, 2004, a true and correct copy of the foregoing document was served by first class mail upon the following:

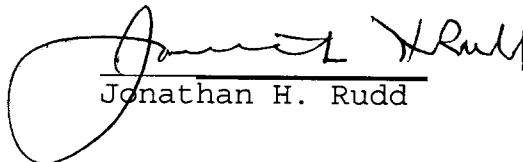
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(Defendant)

Vernice Lee Statts
489 East Academy Street
Hughesville, PA 17737-1805
(Defendant)

Honorable Yvette Kane
Federal Building
Harrisburg, PA 17108
(Trial Judge)


Jonathan H. Rudd

Wed Aug 25 10:37:02 2004

UNITED STATES DISTRICT COURT

SCRANTON, PA

Receipt No. 111 141593
Cashier pamela

Check Number: 132367

DØ Code Div No
4667 1

Sub Acct	Type	Tender	Amount
1:086900	N	2	105.00
2:510000	N	2	150.00

Total Amount \$ 255.00

MCNEES, WALLACE NURICK, LLP PØB 116
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NØA FEE IN 01-CV-763

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